

LEGISLATIVE COUNCIL.

No. 209.

LEGISLATIVE COUNCIL, No. 6.

THURSDAY, 7TH MAY, 1914.

PRESENT :

HIS EXCELLENCY THE GOVERNOR
(Sir FRANCIS HENRY MAY, K.C.M.G.).

His Excellency the General Officer Commanding the Troops, (Major-General FRANCIS HENRY KELLY, C.B.).

- The Honourable the Colonial Secretary, (CLAUD SEVERN).
- „ the Attorney General, (JOSEPH HORSFORD KEMP).
- „ the Colonial Treasurer, (EDWARD DUDLEY CORSCADEN WOLFE).
- „ the Director of Public Works, (ALEC FLEMING CHURCHILL).
- „ the Captain Superintendent of Police, (CHARLES McILVAINE MESSER).
- „ Mr. WEI YUK, C.M.G.
- „ Mr. HENRY EDWARD POLLOCK, K.C.
- „ Mr. EDBERT ANSGAR HEWETT, C.M.G.
- „ Mr. EDWARD SHELLIM.
- „ Mr. LAU CHÜ PAK.

ABSENT :

- The Honourable the Secretary for Chinese Affairs, (EDWIN RICHARD HALLIFAX).
- „ Mr. DAVID LANDALE.

The Council met pursuant to adjournment.

The Minutes of the last Meeting, held on the 23rd April, 1914, were confirmed.

PAPERS.—The Colonial Secretary laid on the table the following papers:—

- Report of the Registrar of the Supreme Court for the year 1913.
- Report on the Police Magistrates' Courts for the year 1913.
- Report of the Captain Superintendent of Police for the year 1913.
- Report on the British Section of the Kowloon-Canton Railway for the year 1913.

FINANCIAL MINUTES.—The Colonial Secretary laid on the table Financial Minutes Nos. 13 to 16, and moved that they be referred to the Finance Committee:—

- No. 13.—Public Works, Extraordinary, Hongkong, Buildings, Temporary Quarters for Scavengers,.....\$ 670.00.
- No. 14.—Public Works, Recurrent, New Territories, Miscellaneous, Typhoon and Rainstorm Damages,—Mainland and Islands in Northern District,..... 4,850.00.
- No. 15.—Public Works, Extraordinary, Compensation for the resumption of land and houses at Tytam Tuk Village in connection with Tytam Tuk Water Scheme, Second Section,..... 6,092.34.
- No. 16.—Miscellaneous Services, Compensation for Cattle destroyed, 832.43.

The Colonial Secretary seconded.

Question—put and agreed to.

REPORT OF THE FINANCE COMMITTEE.—The Colonial Secretary laid on the table the Report of the Finance Committee (No. 4), dated the 23rd April, 1914, and moved its adoption.

The Colonial Treasurer seconded.

His Excellency the Governor addressed the Council in connection with Financial Minute No. 12.

Question—put and agreed to.

QUESTIONS.—Mr. POLLOCK, pursuant to notice, asked the following Questions :—

1. *When was the decision arrived at to increase the staff of the Medical Department by two Probationers instead of by two Sisters ; between what dates were the Probationers advertised for, and in what newspapers ?*
2. *Has it been found by the Government, as the result of experience, that it is an easy matter to engage Probationers possessing satisfactory qualifications ? Do not such Probationers, as a rule, require, during the first year of their engagement, to be carefully supervised by the Sisters ?*
3. *In the year 1913 how many Military women and children were cared for in the Government Hospitals, and what fees did the Government receive in respect of such cases ? Has there been any, and, if so, what increase in the Government Nursing Staff, and when, since the Government took over the care of such cases from the Military Authorities ?*
4. *How many Sisters are there now on the Nursing Staff at the Government Civil Hospitals ? Are two of such Sisters liable to be sent down to the Kennedy Town Hospital to nurse small-pox and other infectious diseases, and are two more of such Sisters attending for the greater part of their time to the nursing of private cases in different parts of the Colony ?*
5. *How many Probationers are there now on the Government Nursing Staff, and how many were there on the 23rd October, 1913, and the 23rd April, 1914, respectively ?*
6. *When will the vacancies, which were caused by the marriages of two Sisters in April, 1914, be filled up ? How long before such marriages did the Government know that they would take place, and has the Government taken any and what steps to fill up such vacancies and when ?*
7. *What is the maximum number of beds which a Sister on night duty has attended to since the 1st May, 1913 ?*

The Colonial Secretary replied.

MOTION.—Mr. POLLOCK, pursuant to notice, addressed the Council and moved the following motion :—

That the Governor-in-Council be requested to nominate (under the Commissioners Powers Ordinance, 1886), five Unofficial Justices of the Peace as Commissioners for the purpose of instituting, making and conducting an enquiry as to the sufficiency in numbers, efficiency, and organisation of the Nursing Staff at the Government Hospitals and as to their terms of service, pay and allowances ?

Mr. HEWETT addressed the Council and seconded.

His Excellency the Governor addressed the Council.

On the motion being put to the vote it was declared lost, six members voting against and five—Mr. WEI YUK, Mr. POLLOCK, Mr. HEWETT, Mr. SHELLIM and Mr. LAU CHŪ PAK—for the motion.

OBSCENE PUBLICATIONS BILL.—The Attorney General moved the First reading of a Bill entitled An Ordinance for more effectually preventing the Publication of Obscene Books, Pictures and other Articles.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

PROTECTION OF WOMEN AND GIRLS BILL.—The Attorney General addressed the Council and moved the Second reading of the Bill entitled An Ordinance to amend the Protection of Women and Girls Ordinance, 1897.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On the motion of the Attorney General the following amendments were agreed to :—

The following sub-section was inserted at the end of section 3 :—

(c.) by the deletion of the word “proceeds” in the second line of sub-section (1) thereof and by the substitution therefor of the word “earnings”.

Section 4 was deleted and the following section substituted therefor :—

4. Section 31 of the Principal Ordinance is hereby repealed and the following section substituted therefor :—

Repeal of section 31 of Principal Ordinance and substitution of new section.

“31.—(1.) Whenever any person is convicted either summarily or before the Supreme Court of any offence against the provisions of section 4 or section 7 it shall be lawful for the Magistrate or Court to direct that in addition to the punishment hereinbefore prescribed the offender if a male be flogged.

Flogging.

(2.) Whenever any person is convicted of any offence against the provisions of sections 3, 5, 6, 8, 9, 10, 11, 17, 18, 19 or 20, if it is proved that the offender has been previously convicted either summarily or before the Supreme Court of an offence against the provisions of the same or any other of the said sections it shall be lawful for the Magistrate or Court to direct that in addition to the punishment hereinbefore prescribed the offender if a male be flogged.”

On Council resuming, the Attorney General reported that the Bill had passed through Committee with amendments and moved that it be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

MAGISTRATES AMENDMENT BILL.—The Attorney General addressed the Council and moved the Second reading of the Bill entitled An Ordinance to amend the Magistrates Ordinance, 1890.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On Council resuming, the Attorney General reported that the Bill had passed through Committee without amendment and moved that it be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

FLOGGING AMENDMENT BILL.—The Attorney General addressed the Council and moved the Second reading of the Bill entitled An Ordinance to amend the Flogging Ordinance, 1903.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On Council resuming, the Attorney General reported that the Bill had passed through Committee without amendment and moved that it be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

AIRSHIPS (AMENDMENT) BILL.—The Attorney General addressed the Council and moved the Second reading of the Bill entitled An Ordinance to amend the Airships Ordinance, 1912.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On Council resuming, the Attorney General reported that the Bill had passed through Committee without amendment and moved that it be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

PUBLIC LIGHTING BILL.—The Attorney General addressed the Council and moved the Second reading of the Bill entitled An Ordinance to provide for the public lighting of the Colony and for the protection of the appliances used in connection therewith.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On Council resuming, the Attorney General reported that the Bill has passed through Committee without amendment and moved that it be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

STAMP BILL.—The Attorney General addressed the Council and moved the Second reading of the Bill entitled An Ordinance to amend the Stamp Ordinance, 1901.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On Council resuming, the Attorney General reported that the Bill had passed through Committee without amendment and moved that it be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

DENTISTRY BILL.—The Attorney General moved that the Council resolve itself into a Committee of the whole Council to consider the Bill entitled An Ordinance to provide for the registration of qualified Dental Surgeons and otherwise to regulate the practice of Dentistry.

The Colonial Secretary seconded.

Question—put and agreed to.

Council in Committee on the Bill.

On the motion of the Attorney General the following amendments were agreed to :—

In section 2 :—

The definition of "Chinese person" was deleted.

The following new definition was inserted :—

"Dental Board" means the Dental Board established under the provisions of this Ordinance. Dental Board.

The definition of "Exempted person" was amended by the deletion of the figure "6" in the third line and the substitution of the figure "5" therefor.

The definition of "Medical Board" was deleted.

The definition of "Dental Surgeon" was amended by the insertion of the word "Registered" before the word "Dental".

Sections 3 and 4 were deleted and the following new section, numbered 3, was inserted :—

- "3.—(1.) A Board to be styled "the Dental Board" shall be established and shall consist of the Principal Civil Medical Officer (who shall be Chairman of the Board), two persons registered under the provisions of the Medical Registration Ordinance, 1884, and two dental practitioners. Constitution of Dental Board.
- (2.) The un-official members of the Dental Board shall be appointed by the Governor and shall hold office for 3 years but may be re-appointed or removed by the Governor at his pleasure. Appointment of members of Dental Board.
- (3.) Three members of the Board shall form a quorum." Quorum.

Section 5 was re-numbered 4 and the figure "6" in the fourth line was deleted and the figure 5 substituted therefor.

Section 6 was re-numbered 5, the word "Medical" in the sixth line of sub-section (1), in the second line of sub-section (2) and in the first line of sub-sub-section (d) of sub-section (3) was deleted and the word "Dental" substituted therefor; and the word "Registered" was inserted before the word "Dental" in the second line of sub-section (3).

Section 7 was re-numbered "6.—(1.)" and the words "Doctor of Dentistry" in the fifth line were deleted and the words "Doctor of Dental Surgery, Licentiate in Dental Surgery, or Dentist," substituted therefor.

The two following sub-sections were inserted as sub sections (2) and (3) of the new section 6 :—

- "(2.) No person who practises dentistry or dental surgery shall by any public or private advertisement or in any way whatsoever describe himself or hold himself out as or offer his services as or in any way use the title or designation of Doctor, Doctor of Dental Surgery, Licentiate in Dental Surgery, or any other like title or designation, unless and until he shall have proved to the satisfaction of the Governor-in-Council with the advice of the Dental Board that the title or designation which he proposes to use has been duly conferred upon him by some university, corporation, college or other body which in the opinion of the Governor-in-Council with the advice of the Dental Board may properly be recognized as capable of duly conferring such title or designation. Dental practitioners prohibited from using any title which has not been properly conferred upon them.
- (3.) Any Registered Dental Surgeon or exempted person shall be entitled to perform dental operations and to practise dentistry and dental surgery in the Colony and to demand and recover reasonable charges for any dental operation, attendance, advice, or aid, and the cost of any dental medicines, dental appliances, dental plates or artificial dentures supplied by him." Registered or exempted person may practise and recover charges.

Section 8 was re-numbered 7, the words "any of" were inserted after the word "contravenes" in the first line of sub-section (1), the figure "7" in the second line of the same sub-section was deleted and the figure "6" substituted therefor, and the words "or under

the name of his firm each member of which shall be either a Registered Dental Surgeon or an exempted person" were inserted after the word "name" in the fourth line of sub-section (3).

Sections 9 and 10 were re-numbered 8 and 9 respectively.

In the Schedule the first paragraph in the third column was deleted and the following substituted therefor:—"License in Dental Surgery, England: Dated 1st December, 1896."

On Council resuming, the Attorney General reported that the Bill had passed through Committee with amendments.

ADJOURNMENT.—The Council then adjourned until Thursday, the 14th May, 1914.

F. H. MAY,
Governor.

Read and confirmed this 4th day of June, 1914.

M. J. BREEN,
Clerk of Councils.

No. 210.

Resolution made by the Legislative Council under the provisions of Section 5 of the Opium Ordinance, 1914, (Ordinance No. 4 of 1914), this 4th day of June, 1914.

WHEREAS by the provisions of Section 5 Sub-section (1) of the Opium Ordinance, 1914, it is provided as follows:—

"No person shall import, or aid or abet the importation of any raw opium into the Colony, if such importation shall have been notified in the *Gazette* in pursuance of any resolution of the Legislative Council as being illegal."

Now it is hereby resolved that the importation into the Colony of any kind of raw opium except (a) Indian opium covered by export permits from the Government of India to the effect that it has been declared for shipment to or consumption in China, and (b) Persian opium is illegal and it is further hereby resolved that a notification shall be made in the next issue of the *Gazette* to this effect and it is also hereby resolved that Notification No. 70 published in the *Gazette* of the 2nd March, 1914, be rescinded.

M. J. BREEN,
Clerk of Councils.

COUNCIL CHAMBER,
4th June, 1914.

No. 211.—His Excellency the Governor has given his assent, in the name and on behalf of His Majesty the King, to the following Ordinances passed by the Legislative Council:—

Ordinance No. 15 of 1914.—An Ordinance for more effectually preventing the Publication of Obscene Books, Pictures, and other Articles.

Ordinance No. 16 of 1914.—An Ordinance to provide for the registration of qualified Dental Surgeons and otherwise to regulate the practice of Dentistry.